

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F055457 Toscana v. Matu'u

Appellant having failed to perform the acts necessary to procure the record after the clerk of the trial court issued notice pursuant to the provisions of rule 8.140, California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F054279 In re R. V., a Minor

Appellant's petition for rehearing filed herein is denied.

F053273 People v. Madrigal

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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F054934 In re J.S. et al, Minors

IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F052710 People v. Suniga, III

The judgment is modified by striking one of the multiple-murder special-circumstance findings under Penal Code section 190.2, subdivision (a) (3). In all other respects, the judgment is affirmed.
Ardaiz, P.J.

We concur: Levy, J.; Dawson, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F054915 August v. City of Los Banos et al.

After careful consideration of the appellate record and appellant's opening brief, we agree that appellant's brief raises no cognizable legal issue. Under the court's inherent authority to dismiss a meritless appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed. (Ferguson v. Keays (1971) 4Cal.3d 649, 658.

F054600 The Earthgrains Company et al. v. Workers' Compensation Appeals Board and Gary Hansen

Let a writ of review issue returnable before this court forthwith.

The WCAB's "Order Denying Reconsideration" is annulled and remanded only as to its finding of fact No. 4 regarding Hansen's permanent and stationary date and related temporary disability benefits. On remand, the WCAB shall conduct any further proceedings as it deems appropriate to reconsider and set forth in detail its reasoning determining when Hansen became permanent and stationary.

In all other respects, the Petition for Writ of Review is denied.

By the Court.

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